



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 22, 2020

BY ECF

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Virgil Griffith*, 20 Cr. 15 (PKC)

Dear Judge Castel:

The Government writes with the consent of the defendant to request respectfully that the Court authorize the defendant to disclose his *ex parte* and *in camera* application for a subpoena pursuant to Federal Rule of Criminal Procedure 17 (the "Application").

By way of background, on January 18, 2020, the parties appeared before the Court for a status conference. At the conference, the defendant revealed that the basis for his anticipated venue motion were returns from a subpoena that issued pursuant to the Application. The same day, a member of the media sought public disclosure of the Application and the Court ordered the parties to state their position no later than May 22, 2020.

In an effort to determine its position on public disclosure, the Government requested the Application from counsel for the defendant following the conference. Counsel took the position that they would not provide the Application to the Government without further order of the Court, but informed the Government that the defendant has no objection to public disclosure.

In order to respond to the Court's order, therefore, the Government respectfully requests that the Court permit the defendant to disclose his Application to the Government. If this request is granted, the Government further requests an additional 48 hours from the time date of the Court's order to review the Application and inform the Court on its position on public disclosure.

Respectfully submitted,

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cc: Brian Klein, Esq. and Sean Buckley, Esq. (counsel for Griffith), by ECF